

**MINNESOTA BOARD OF MEDICAL PRACTICE
BOARD MEETING
2829 UNIVERSITY AVE. SE
MINNEAPOLIS, MN 55414-3246**

January 14, 2012

The Minnesota Board of Medical Practice met on January 14, 2012, at its offices in Minneapolis, Minnesota.

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: Jon Thomas, M.D., MBA, President; Keith Berge, Secretary; Debbie Boe; Mark A. Eggen, M.D.; V. John Ella, J.D.; Sarah L. Evenson, J.D., MBA; Subbaro Inampudi, M.D., FACR; Bradley Johnson, M.D.; Kelli Johnson, MBA; Gerald Kaplan, MA, LP; Ernest Lampe, II, M.D.; and James Langland, M.D.

PUBLIC SESSION

The minutes of the November 12, 2011, Board meeting were received and approved as circulated.

Jon Thomas, M.D., MBA, President presented Alfred Anderson, D.C., M.D., with board service awards. Dr. Anderson served on the board from 2003 to 2011. Dr. Anderson served on the Licensure, Complaint Review, and Policy and Planning Committees. Dr. Anderson served as Chair of the Complaint Review Committee. Dr. Anderson also served as President to the board from July to December 2010 and Vice President from January to June of 2010. Dr. Anderson is a presenter at the Minnesota Medical Board's on-going seminars on Chronic Pain Management.

Robert Leach, J.D., Executive Director updated the board on the Sunset Commission legislation. The Medical Board's Sunset Report was presented to the Sunset Commission on December 8, 2011, by Mr. Leach. Mr. Leach felt that the Report and presentation were well received. The next meeting of the Sunset Commission is January 17, 2012, for public testimony. The Sunset Commission will meet again on January 19, 2012, to craft their report to the legislature, which is due on February 1, 2012. Mr. Leach will update the board at the March board meeting with the outcome of the Sunset Commission meetings. A question and answer session followed.

Board members thought the Sunset Report was well written and an excellent summary. Mr. Leach informed board members that they could download a copy of the Sunset Report from the board's website or, if they preferred a bound copy, e-mail him and a copy will be mailed. Mr. Leach informed the board that the Sunset Report will be included in the New Board Member Orientation.

On recommendation of the Licensure Committee, physician applicants 1 - 100 of the agenda were approved for licensure subject to the receipt of verification documents.

Bradley Johnson, M.D., Chair of the Licensure Committee presented the minutes of the December 15, 2011, Licensure Committee Meeting.

Dr. Johnson noted the following items from the December 15, 2011, Licensure Committee meeting minutes:

1. There were three appearances where the Licensure Committee had serious issues that they wanted reviewed. After meeting with each applicant, the Committee was satisfied and recommended approval.
2. Item five was an unusual application in which a foreign medical graduate did not complete the required two year residency training. The Committee recommended acceptance of their board certification in Family Medicine and 21 years of clinical practice as satisfying the training requirement.

Dr. Johnson stated that later in the agenda, the council appointments will be addressed.

The minutes and actions of the December 15, 2011, meeting of the Licensure Committee were received and approved as circulated.

On recommendation of the Licensure Committee, physician applicants 101 - 103 of the agenda were approved for Emeritus registration.

On recommendation of the Acupuncture Advisory Council, acupuncturist applicants 104 - 108 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Athletic Trainers Advisory Council, athletic trainer applicants 109 - 123 of the agenda were approved for registration subject to the receipt of verification documents.

On recommendation of the Physician Assistant Advisory Council, physician assistant applicants 124 - 147 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Respiratory Therapist Advisory Council, respiratory therapist applicants 148 - 151 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Naturopathic Doctor Advisory Council, naturopathic doctor applicants 152 - 154 of the agenda were approved for licensure subject to receipt of all verification documents.

Mr. Leach presented the Advisory Council Appointments.

The term of Debi Weiss, Lac, acupuncture member and Michael Green, M.D, physician member expire January 2012. Both members applied for reappointment.

A Motion was made and passed unanimously to reappoint the following members to the Acupuncture Advisory Council:

Michael Green, M.D., Physician Member
Debi Weiss, Lac, Acupuncture Member

The terms of Tom Kiff, ATR, athletic trainer member, Paul Niemuth, ATR/PT, athletic trainer/physical therapist member, Kenji Sudoh, M.D., physician member, and Alex Adams, public member expire January 2012.

Tom Kiff, ATR applied for reappointment. Another application for this seat was received from Benjamin Guck, ATR.

A motion was made and passed unanimously to reappoint Tom Kiff, ATR, athletic trainer member to the Athletic Trainers Advisory Council.

Two applications were received for the athletic trainer/physical therapist seat on the Athletic Trainers Advisory Council; one from Benjamin Guck, ATR/PT and one from Jaynie Bjornaraa, ATR/PT.

A motion was made and passed unanimously to appoint Jaynie Bjornaraa, ATR/PT Athletic trainer/physical therapist member to the Athletic Trainers Advisory Council.

Kenji Sudoh, M.D., applied for reappointment as the physician member on the Athletic Trainers Advisory Council. No other applications were received for this seat on the Council.

A motion was made and passed unanimously to reappoint Kenji Sudoh, M.D., physician member to the Athletic Trainers Advisory Council.

Alex Adams, the public member on the Athletic Trainers Advisory Council applied for reappointment. There was an additional application received from Leslie Larson for the public member seat.

A motion was made and passed unanimously to reappoint Alex Adams as the public member to the Athletic Trainers Advisory Council.

The term of Jodi Nicholson, PA, physician assistant member, Tori Christiaansen, M.D., physician member, and Jan Rafael, public member, expire January 2012. Ms. Rafael is ineligible for reappointment to the Council. An application was received from Ruth Rinker for the public member seat.

A motion was made and passed unanimously to (re)appoint the following members to the Physician Assistant Advisory Council:

Jodi Nicholson, PA, physician assistant member (reappointment)
Tori Christiaansen, M.D., physician member (reappointment)
Ruth Rinker, public member (appointment)

The term of Alex Adams, RT, respiratory therapist member, Joe Buhain, RT, respiratory therapist member, Avi Nahum, M.D., physician member, and Lois Chambers, public member, expire January 2012. . Alex Adams, RT and Joe Buhain, RT applied for reappointment to the Respiratory Care Advisory Council. An application was received from John Gallagan, RT for the respiratory therapist seat.

A motion was made and passed unanimously to (re)appoint the following members to the Respiratory Care Advisory Council:

Alex Adams, RT, respiratory therapist member (reappointment)
John Gallagan, RT, respiratory therapist member (appointment)

Avi Nahum, M.D., applied for reappointment to the Respiratory Care Advisory Council as the physician member. No other applications were received.

A motion was made and passed unanimously to reappoint Avi Nahum, M.D. to the Respiratory Care Advisory Council as the physician member.

Lois Chambers applied for reappointment to the Respiratory Care Advisory Council as the public member.

A motion was made and passed unanimously to reappoint Lois Chambers as the public member on the Respiratory Care Advisory Council.

The term of Amy Johnson-Grass, LTM, midwife member and Joy Parker, LTM, midwife member expire January 2012. Amy Johnson-Grass, LMT applied for reappointment. Joy Parker, LTM did not apply for reappointment. An application from Kim Garrett, LTM and Kate Saumweber-Hogan, LTM, were received for a seat as a midwife member on the Council.

A motion was made and passed unanimously to appoint the following members to the Midwifery Advisory Council:

Kim Garrett, LTM, midwife member
Kate Saumweber-Hogan, LTM, midwife member

Dr. Thomas introduced the next agenda item, educational sessions for board meetings in 2012.

Suggestions for board presentations were:

- Ms. Evenson suggested a presentation on Health Insurance Portability and Accountability (HIPAA). After board discussion, it was decided to have a presentation on HIPAA to educate public board members and for clarification for physician board members on their role in HIPAA. Kermit Fruechte, J.D., Assistant Attorney General (AGO) will see if there is an appropriate resource at the AGO to give this presentation; Keith Berge, M.D., will also check at the Mayo Clinic's Legal Department for an appropriate presenter.
- Dr. Johnson requested a presentation on the board's boiler-plate disciplinary remedies.
- Dr. Johnson suggested a presentation on medical records accuracy, validity, and transparency to the patient.
- Dr. Thomas suggested a presentation on Electronic Medical Records on how to make them more productive.

Bradley Johnson, M.D., asked if there was a back-up resource for the board's medical records reviewer because she is very busy and is not always available. Mr. Leach stated it may be helpful to have an additional resource.

- Dr. Berge offered to have a representative from the Food and Drug Administration (FDA) and the Drug Enforcement Agency (DEA) provide a presentation on drug diversion from healthcare facilities.
- Dr. Berge offered to have a police officer with the Minneapolis Police Department provide a presentation on drug diversion issues, such as pharmacy prescription forgery.
- Dr. Johnson requested a presentation from the Board of Pharmacy on the Prescription Management Program (PMP) to update the board on the progress of the Program. The board heard a presentation regarding PMP at the March 2010 board meeting.
- Ms. Johnson stated that Nan Larson from the Department of Corrections has expressed an interest in presenting to the board regarding prescribing and diversion that occurs

within the prison system. Also, the number of complaints received by healthcare providers practicing in the prison system. Ruth Martinez, Complaint Review Supervisor suggested a tour of the HealthCare Operations at the Minnesota State Prisons.

- Dr. Johnson suggested a review of available re-entry programs. Dr. Thomas suggested a presentation from the Drexel Medicine® Physician Refresher/Re-entry Course. He will contact Mr. Leach with the name of the individual who provides the presentations for the program.
- Mr. Kaplan suggested a presentation from the Minnesota Sex Offender Treatment Program.
- Dr. Langland suggested a presentation on opioid drug screen tests that are available and how to appropriately use them. Mr. Leach suggested Dr. Fred Apple who previously provided a presentation to the board on alcohol. Mr. Leach stated he will try to schedule Dr. Apple for the March 10, 2012, board meeting.
- Mr. Kaplan suggested a polygraph demonstration. Mr. Kaplan had arranged for a professional polygrapher demonstration at the May 2002 board meeting.

Mr. Leach informed the board that he recently discovered that there will be a series of articles (two or three) that the Star and Tribune newspaper will publish regarding the board. The photographer that was present at the beginning of the board meeting was from the Star and Tribune. The end of January is the anticipated publish date of the articles.

Mr. Leach stated that, based on the questions that he and Ms. Martinez received from the Star and Tribune; he anticipates the articles to concentrate on the Public Citizen's Annual Report, and transparency regarding malpractice reports.

Mr. Leach stated that an agenda item regarding medical malpractice data was originally planned for this board meeting, but was postponed to the March 10, 2012, board meeting because a representative from the Minnesota Medical Association was not able to attend.

Mr. Leach informed the board that in 2001, the Physician Profiling Taskforce recommended that medical malpractice information be collected for a period of three years. After that time, form a second taskforce to analyze the data and then make recommendations to the board regarding what medical malpractice information should be available to public. Mr. Leach stated that the collection of data is complete and there is enough medical malpractice data to analyze.

After board discussion, a motion was made and passed unanimously to form an ad hoc committee to evaluate what medical malpractice information should be provided on the website for public consumption. Mr. Leach recommended that the Minnesota Medical Association be included in the committee along with any other interested parties.

Dr. Thomas introduced the next agenda item, the Federation of State Medical Boards' Annual meeting:

Mr. Leach informed Board members that the annual meeting of the Federation of State Medical Boards will be held April 26 – 28, 2012, in Fort Worth, Texas at the Omni Fort Worth Hotel and instructed the Board on the reservation procedures. Mr. Leach reminded board members that they must go through Travel Leaders for their airline reservations in order to be reimbursed for plane tickets.

Mr. Kaplan asked if board members could get the government rate at the FSMB Annual meeting without a government ID. Mr. Leach stated that there is a block of hotel rooms reserved under the Government rate; however, the rate is given out on a first-serve basis to any FSMB meeting attendee, so a government ID isn't necessary.

Mr. Leach stated that there are outstate board members that could use a government ID to receive a discounted rate when they stay overnight for board/committee meetings. Also, when the state travel restrictions are removed, a government ID would be valuable for other board business travel. Mr. Leach informed the board that staff is researching the purchase of an ID card machine to make government IDs for board members and staff.

Mr. Leach informed the board that since there have been several security issues in the board office building, staff are working on updating the board's office security. One of the things being considered is replacing the cyber locks on the three office entrance doors.

Dr. Thomas presented the 2012 Board Committee Appointments for the board's information.

COMPLAINT REVIEW COMMITTEES

A.

Keith Berge, MD, Chair
Gerald Kaplan, MA, LP
Mark Eggen, MD

B.

Gregory Snyder, MD, DABR Chair
Sara Evenson, JD
Joseph Willett, DO

LICENSURE COMMITTEE

Brad Johnson, MD, Chair/Replacement
Kelli Johnson, MBA
Subbarao Inampudi, MD, FACR
Ernest Lampe, II, MD/Replacement
Alfred Anderson, DC/MD Replacement when appointed

POLICY AND PLANNING COMMITTEE

Tracy Tomac, MD, Chair/Replacement
Debbie Boe
V. John Ella, JD
James Langland, MD/Replacement

Mr. Leach clarified that the replacement for Brad Johnson, M.D., on the Licensure Committee will not be Chair of the Committee; Dr. Johnson will make the Licensure Committee Chair recommendation.

Dr. Johnson asked when Mr. Leach was meeting with the State Appointment Director for board member re/appointments. Mr. Leach stated the meeting is scheduled for January 18, 2012.

Mr. Leach, Dr. Thomas, and the State Appointment Director, Adam Prock, received a letter from Bob Meiches, M.D., CEO of the Minnesota Medical Association expressing concern that Dr. Alfred Anderson's board member seat has been vacant since September of 2011. Mr. Prock called Dr. Meiches and explained the process of board member selection.

Mr. Leach stated that he and Dr. Anderson, former board member, have been working to find female, primary care physicians for board membership. Dr. Thomas asked board members if

they knew of any female, primary care physicians that would be interested in serving as a board member, to contact Mr. Leach. Mr. Leach stated that the Minnesota Medical Association is also actively looking for female physician board member applicants.

The board discussed board member eligibility, terms and the selection process.

Dr. Thomas informed the board of one Corrective Action Agreement that was implemented since the last board meeting.

End of public session.

EXECUTIVE SESSION

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: Jon Thomas, M.D., MBA, President; Keith Berge, Secretary; Debbie Boe; Mark A. Eggen, M.D.; V. John Ella, J.D.; Sarah L. Evenson, J.D., MBA; Subbaro Inampudi, M.D., FACR; Bradley Johnson, M.D.; Kelli Johnson, MBA; Gerald Kaplan, MA, LP; Ernest Lampe, II, M.D.; and James Langland, M.D.

JULIE A. KRENK, MD

On recommendation of the Complaint Review Committee, the license of Dr. Krenik was reinstated.

TIMOTHY L. LARSON, PA

On recommendation of the Complaint Review Committee, the license of Mr. Larson was reinstated.

THOMAS R. LORENZ, MD

On recommendation of the Complaint Review Committee, the license of Dr. Lorenz was reinstated.

BRIAN MOLSTAD, MD

On recommendation of the licensure Committee, the application for licensure submitted by Dr. Molstad, was denied without the option to withdraw.

There being no further business, the meeting was adjourned.



Keith Berge, M.D.
Secretary
MN Board of Medical Practice

March 1, 2012
Date